

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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SECURITIES AND EXCHANGE  
COMMISSION,

Case No. 2:15-cv-01974-GMN-PAL

ORDER

Plaintiff,

(Mot Exp Disc – Dkt. #34)

v.

ASCENERGY LLC and JOSEPH (a/k/a  
JOEY) GABALDON,

Defendants,

PYCKL LLC and ALANAH ENERGY, LLC,

Relief Defendants.

Before the court is Plaintiff's Motion for Expedited Discovery Without Rule 26(f) Conference, for a Discovery Conference, and to Shorten Response Deadline (Dkt. #34) filed November 19, 2015. Having considered the Plaintiff's motion and supporting Memorandum of Points and Authorities (Dkt. #35),

**IT IS ORDERED** that Plaintiff, on and after the date of this order, is hereby authorized to take expedited document discovery from financial institutions and other persons or parties that Plaintiff has reason to believe may hold, may have received, or may have knowledge of investor funds or Defendants' or Relief Defendants' assets.

The subpoenaed party is required to provide within five business days of service of Plaintiff's subpoena records showing:

- (1) The identification name and number of each and every account or other asset owned, controlled, managed, or held by, on behalf of, or for the benefit of any of the persons or entities identified in Plaintiff's subpoena;

1 (2) The balance of each such account, or a description of the nature and value of such  
2 asset as of the close of business on the day on which the document subpoena was  
3 served, and, if the account or other asset has been closed or removed, the date closed  
4 or removed, the total funds removed in order to close the account, and the name of the  
5 person or entity to whom such account or other asset was remitted; and

6 (3) The identification of any safe deposit box that is owned, controlled, managed, or held  
7 by, on behalf of, or for the benefit of any of the persons or entities identified in  
8 Plaintiff's subpoena.

9 The subpoenaed party is further required to provide within ten business days of service of  
10 Plaintiff's subpoena copies of the account applications, account statements, and signature cards  
11 for each identified account. The subpoenaed party is also required to provide within 20 days of  
12 service of Plaintiff's subpoena copies of any requested checks, drafts, deposit tickets, transfers to  
13 and from the accounts, all other debit and credit instruments or slips, currency transaction  
14 reports, IRS 1099s, and safe deposit box logs.

15 Plaintiff may take deposition testimony from the subpoenaed party about the relevant  
16 transactions and documents.

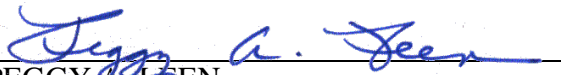
17 **IT IS FURTHER ORDERED** that any response to Plaintiff's Motion for Expedited  
18 Discovery without Rule 26(f) Conference and for a Discovery Conference shall be filed within  
19 **eight** days of the filing of the motion.

20 **IT IS FURTHER ORDERED** that a Discovery Conference in this matter shall be held  
21 on **December 4, 2015, at 9:30 a.m.**, in Courtroom 3B of the United States District Court, 333  
22 Las Vegas Boulevard South, Las Vegas, NV 89101. Counsel may participate telephonically.  
23 Those appearing telephonically are instructed to call Jeff Miller, Courtroom Deputy, at (702)  
24 464-5420 **before 4:00 p.m. December 3, 2015**, to indicate the name of the party participating  
25 and a telephone number where that party may be reached. The courtroom deputy will initiate the  
26 call for the hearing.

27 **IT IS FURTHER ORDERED** that, in future orders submitted to this court, Plaintiff  
28 shall comply with LR 6-2(a) which states the "... signature block shall not be on a separate page,

1 but shall appear approximately one inch below the last typewritten matter on the right-hand side  
2 of the last page of the stipulation....”

3 DATED this 24th day of November, 2015.

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6 PEGGY A. LEEN  
7 UNITED STATES MAGISTRATE JUDGE  
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